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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,366	10/09/2001	Christian Sameit	4100-275	5904

7590 01/30/2004
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EXAMINER

CRENSHAW, MARVIN P

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/973,366

Applicant(s)

SAMEIT ET AL.

Examiner

Marvin P. Crenshaw

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on the amendment on 10/23/2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) 35-46 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 - 23, 25 - 34 and 51 is/are allowed.
- 6) ☒ Claim(s) 47 - 50 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Claims 1-34, 47 and 48 in Paper No. 8 is acknowledged.

Claims 35 – 46 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 7.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

Claim 24 is objected to because of the following informalities: In the claim, the sentence has a grammatical error. The change should be made, after means “by” should be deleted and “of” should be entered. Appropriate correction is required.

Allowable Subject Matter

Claims 1 - 23, 25 - 34 and 51 are allowed.

Claim 24 would be allowable if rewritten to overcome the above objection.

The following is an examiner's statement of reasons for allowance:

With respect to claim 1 the prior art does not teach or render obvious the total combination as claimed including a system for managing rubber covered cylinder sleeves for an offset rotary printing machine comprising means for determining suitability of the sleeves for a specific print job based on said characteristic data and

means for removing one of said sleeves from the storage apparatus in accordance with the suitability for a specific print job.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 47 - 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Fraczek.

Fraczek et al. teaches a method of managing rubber-covered cylinder sleeves (Fig. 1) for offset printing, said method comprising equipping each said sleeve with an identifier (3), assigning characteristic data about each sleeve to the respective identifier, said characteristic data comprising production history information (See col. 1, lines 48 – 59), reading (4) said characteristic data from said identifiers into a computing and memory device of a rotary printing machine, transmitting (Fig.1) said characteristic data from said computing and memory devices (5) to a main memory device of a storage apparatus for said sleeves, and storing said characteristic data in said main memory

device.

Fraczek teaches a method of managing rubber-covered cylinder sleeves for offset printing, said method comprising equipping each said sleeve with an auxiliary memory device (3), applying characteristic data about each said sleeve to the respective memory device while said sleeve is still located in a printing unit, said characteristic data comprising production history information and transmitting (Fig. 1) said characteristic data from said auxiliary memory device to a main memory device of a storage apparatus for said sleeves when said sleeve is stored in said storage apparatus.

With respect to claim 49 and 50, Fraczek teaches a method comprising determining suitability of the sleeve (See col. 1, lines 48 – 68) for a specific print job based on said characteristic data and removing of said sleeves from said storage apparatus.

Response to Arguments

Applicant's arguments filed October 23, 2003 have been fully considered but they are not persuasive. Specifically, Fraczek teaches a chip in a sleeve for tracking production history data (See col. 1, lines 48 – 59).

Conclusion


THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (703) 308-0797. The examiner can normally be reached on Monday - Friday 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


MPC
January 22, 2004


ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800